INFORMATION DISCLOSURE STATEMENT

Applicant : Kagan et al.

App. No : 10/698,148

Filed: October 31, 2003

For : APPARATUS AND METHODS FOR

TREATMENT OF MORBID OBESITY

Examiner : Phillip A. Gray

Art Unit : 3767

CERTIFICATE OF EFS WEB TRANSMISSION

I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web

server on:

May 9, 2008 (Date)

Bryan W. Wahl, Reg. No. 58,878

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 3 references to be considered by the Examiner.

Identification herein is not an admission that the foregoing are prior art to the abovecaptioned application.

This Information Disclosure Statement is being filed before the mailing date of a final action and before the mailing of a Notice of Allowance. This Statement is accompanied by the fees set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5/9/08

Ву:_____

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